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SUBJECT: HUMAN RIGHTS BOARD CHAIRMAN RESIGNS AMID FEUD OVER MINORITIES, HEADSCARF RIGHTS

REF: 04 ANKARA 6116

Classified By: Classified by Polcouns John Kunstadter; reasons 1.4 b and d.

1. (C) Summary: The chairman and vice chairmen of a GOT human rights board resigned from the body in protest Feb. 7, asserting that the Prime Ministry dismissed them one year before their terms were up. The resignations followed a bitter dispute over the board's taboo-breaking October report on minorities, which top GOT officials had harshly criticized. FM and Deputy PM Gul is replacing a total of 14 of the Board's 78 members; most of the outgoing members hold leftist or secular views, while their replacements are more Islam oriented. One Board member, a close Embassy contact, told us the new appointments are part of a broader plan by the ruling AK Party (AKP) leadership to reverse the long-standing official ban on Muslim headscarves in universities and among civil servants. She says the new board will criticize the ban in an upcoming report, which the AKP will use to support a legal appeal of a European Court of Human Rights (ECHR) ruling upholding the ban. A Prime Ministry contact denies that the 14 board members are being dismissed early, claiming their terms ended February 1. PM Erdogan told a German newspaper that the headscarf ban should be lifted; however, he denies making the comment. End Summary.

Board Leadership Resigns...

2. (U) Istanbul University Professor Ibrahim Kaboglu announced his resignation February 7 as chairman of the GOT's Human Rights Consultation Board; the Board's three vice chairmen joined him in stepping down. The resignations capped a bitter dispute between the Board leadership and top GOT officials following the Board's October report on minorities (reftel). FM Gul and other GOT leaders angrily condemned the report, which called on the Turkish State to update its concept of minority rights. Prosecutors opened an investigation of Kaboglu and the lead author of the report for possible treason; the investigation continues.

...Claiming They Were Forced Out Early

3. (C) The resignations were made in symbolic protest shortly after the Prime Ministry -- FM Gul has ultimate authority over the Board in his role as Deputy PM responsible for human rights -- sent notice to Kaboglu and 13 other members that their terms had expired as of February 1. The Board members maintain that they were appointed in 2003 for a three-year term ending in February 2006, and say the GOT is forcing them out early. However, Vahit Bicak, head of the Prime Ministry's Human Rights Presidency, insisted to us that Kaboglu and the others are mistaken, and that their terms began in 2002. The different interpretations stem from disagreement over when the Board officially began its duties after Parliament established the body in 2001. Bicak acknowledged that FM Gul, furious over the minorities report, had originally wanted to sack Kaboglu and other Board members. But Bicak informed Gul that their terms would expire in February, and advised against dismissing them early. Bicak said Kaboglu violated Board regulations by adopting the minorities report without the required majority Board approval, a charge Kaboglu denies (Note: Several Board members have told us Bicak holds a petty grudge against Kaboglu, whom he unsuccessfully challenged for the Board chairmanship. End Note).

Board Member: Real Target is Headscarf Ban

4. (C) Oya Aydin, a Board member and attorney for Kaboglu, told us the AKP leadership is dismissing the 14 Board members early, but there is a deeper motive beyond the minorities report. Shortly after the controversy over the minorities report, FM Gul announced that he had selected a number of

candidates to fill upcoming openings on the 78-member Board. The new appointees included bitterly anti-Western, Islamic fundamentalist columnist Abdurrahman Dilipak, of the daily Vakit, and others known for Islam-oriented views in line with those of the AKP leadership. They will replace members who generally hold leftist, or Kemalist/secular views. The MFA has refused to respond to our repeated requests for confirmation that Gul indeed appointed Dilipak.

15. (C) Aydin told us the new appointments are part of a broader AKP effort to reverse the long-standing official ban on Muslim headscarves in universities and among public servants. "The one thing they (the new appointees) all have in common is that they oppose the headscarf ban," she said. Aydin said tension began building between Gul and Kaboglu over the headscarf issue long before the October minorities report. Gul had repeatedly pressured Kaboglu to ensure that the Board's upcoming report on women's rights included a strong condemnation of the headscarf ban, but Kaboglu refused. According to Aydin, the AKP wants to use the women's rights report to strengthen the legal appeal of a 2004 ECHR ruling upholding the headscarf ban in universities (Leyla Sahin v. Turkey); the appeal will be heard in May. "They want to be able to say that the human rights community in Turkey opposes the headscarf ban," she said. Aydin said Gul has quietly reassigned the official who drafted the paper to the ECHR representing the Turkish State's legal defense of the ban.

PM Reportedly Calls for Lifting Ban

16. (U) The Turkish press on February 8 widely reported PM Erdogan's comments on the headscarf issue to a German reporter for Welt am Sonntag during the Davos World Economic Forum. Erdogan was quoted as saying the headscarf ban in universities should be lifted, and that the GOT is working on a plan to address the issue. He also asserted to the reporter that the Koran requires women to wear headscarves. "My daughter, my wife, and I are pious Muslims," he said. "According to the Koran, a woman must wear a turban (Muslim headscarf) in society. My daughter, because she respects the Koran, fulfills this condition. My daughter lives in accordance with the rules of our religion." Erdogan was further quoted as saying his daughter also wears a headscarf because it is "chic, in fashion." We understand from a reporter close to Erdogan that, at his foreign policy advisor Omer Celik's suggestion, Erdogan initially denied making the comments, claiming he never gave an interview to Welt am Sonntag. However, the author of the report stood by the story, saying he cleared the text in advance by e-mail with Erdogan advisor Cuneyt Zapsu. Erdogan's press advisor Ahmet Tezcan's subsequent acknowledgment that the interview had taken place and clumsy attempt to deflect criticism of Erdogan by blaming Zapsu reflects the disarray and rivalry among key Erdogan advisors.

17. (U) Turkish media have subsequently reported main opposition CHP chairman Baykal's warning to Erdogan that his linkage of piety to the turban implies uncovered women are not good Muslims; Feb. 9 leading daily "Hurriyet" published the views of leading Turkish theologians that the Koran does not require the turban. Press reports have also claimed that the AKP leadership is preparing a bill to remove the headscarf ban and has held consultations with hand-picked NGOs that support lifting the ban. The Higher Education Council (YOK), a bastion of "secularist" thinking, has reacted angrily to these reports, reasserting that the headscarf ban in universities will remain in effect.

Comment

18. (C) Since coming to power in the 2002 elections, AKP has had to strike a delicate balance between the requirements for Turkey's domestically-popular EU candidacy and resistance to change on the part of the Kemalist establishment on the one hand and the interests of the party's more Islam-oriented base. Erdogan has on several occasions begun to pursue reforms desired by Islamists, only to retreat under fire from the secular establishment and, in one case, the EU. Examples include AKP's abortive moves toward reforms related to imam hatip (Islamic preacher) schools, Koran courses, and an anti-adultery law. Until now, Erdogan has strictly avoided the headscarf issue, because it is highly sensitive in Turkey and because he knows the EU, itself struggling to define its approach to Islam, will provide no cover.

19. (C) Now that the EU has set a date to begin accession talks, it appears that some of the more ideologically Islamist members of the AKP leadership are looking for ways to bring the turban issue to the agenda. Various polls have indicated that a majority of Turks do not support the ban in universities. But the issue remains explosive. Erdogan's

comment that the Koran requires women to wear headscarves is exactly the kind of statement that causes tension between pious and secular Turks. His comments and Gul's apparent moves by stealth to pack the Human Rights Consultation Board heighten the fear among "secularists" that lifting the ban is only the first step toward a goal of imposing Islamic values, interpreted in a hard-core Sunni manner, more firmly on Turkey. In this regard, the apparent attempt by AKP to support the appeal of the ECHR headscarf ruling underscores the division between the Islam-oriented AKP government and the secular State. AKP leaders are actively working to support a legal case challenging the official (State) position.
EDELMAN